

REMARKS

The present request is submitted in response to the final Office Action dated March 9, 2006, which set a three-month period for response, making this amendment due by June 9, 2006, and with the initial two-month period for response expiring on May 9, 2006.

Claims 1-10 are pending in this application.

In the final Office Action, claims 1-10 were rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent No. 5,814,897 to Ito et al in view of U.S. Patent No. 6,236,308 to Dalum.

The Applicants respectfully submit that the newly cited patent to Dalum fails to disclose all of the features of pending claims 1-10.

Ito shows in Fig. 1 and discloses in column 5, lines 27-52 that the digitalized signal of an acceleration sensor is fed into a wavelet transform processor for providing a wavelet coefficient. The wavelet coefficient is compared to a predetermined coefficient. In addition, the integrated output of the digitalized acceleration is compared to a predetermined speed. A restraint device is actuated if both conditions are met, that is, if the integrated digitalized acceleration is above the predetermined speed and the wavelet coefficient exceeds a predetermined coefficient.

Therefore, Ito fails to disclose that the unfiltered acceleration signal is fed into a threshold decider for generating a second condition. The unfiltered acceleration signal has much more information than the wavelet coefficient or the

integrated acceleration signal. An integration is equal to a low pass filtered signal. Therefore, both the wavelet transformation and the integration are a kind of filter, whereas claim 1 of the present application requires the comparison of the unfiltered signal with a threshold.

The patent to Dalum, cited in combination with Ito, discloses the use of the acceleration signal and its filtering over a predefined interval or window to form a windowed velocity signal. This is indeed equal to a low pass filtering. Dalum fails to disclose the comparison of the unfiltered signal to a threshold as well. Therefore, like Ito, Dalum also fails to disclose this essential feature of claim 1.


Because neither Dalum nor Ito discloses or suggests all of the features of the amended claims, the combination of these references cannot provide all of the features of the present invention. Therefore, the rejection under 35 U.S.C. 103 must be withdrawn. Obviousness cannot be established by combining the teachings of the prior art to produce the claimed invention, absent some teaching or suggestion supporting the combination. *ACS Hosp. Sys., Inc. v. Montefiore Hosp.*, 221 USPQ 929, 932, 933 (Fed. Cir. 1984).

For the reasons set forth above, the Applicants respectfully submit that claims 1-10 are patentable over the cited art. The Applicants further request withdrawal of the final rejection under 35 U.S.C. 103 and allowance of the present application.

Should the Examiner have any further comments or suggestions, the undersigned would very much welcome a telephone call in order to discuss

appropriate claim language that will place the application into condition for allowance.

Respectfully submitted,



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